

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

TOMMY STEWART,

Plaintiff,

vs.

STATE OF NEVADA,

Defendant.

Case No.: 2:21-cv-01210-GMN-BNW

**ORDER**

Pending before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Brenda Weksler, (ECF No. 4), which recommends dismissal of the case without prejudice.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s report and recommendation where no objections have been filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

Here, no objections were filed, and the deadline to do so, August 23, 2021, has passed. (*See* Min. Order, ECF No. 4).

1 Accordingly,

2 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No.4), is  
3 **ACCEPTED AND ADOPTED in full.**

4 **IT IS FURTHER ORDERED** that the case is **DISMISSED without prejudice.**

5 The Clerk of Court shall close the case.

6 **DATED** this 16 day of September, 2021.

7  
8  
9 

10 \_\_\_\_\_  
Gloria M. Navarro, District Judge  
United States District Court  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25